

Message Text

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ACTION DLOS-09

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TO SECSTATE WASHDC 4135

C O N F I D E N T I A L USUN 1982

FROM: LOS DEL

E.O. 11652: GDS
TAGS: PLOS
SUBJECT: SPITZBERGEN FISHERIES ZONE

1. LUCJAN LUKASIK OF THE POLISH LAW OF THE SEA DELEGATION
APPROACHED TERRY LEITZELL, L/OES AND MEMBER OF THE US LOS
DELEGATION, TO RAISE SOME QUESTIONS REGARDING NORWEGIAN
DECLARATION AND IMPLEMENTATION OF A FISHERIES ZONE AROUND
SVALBARD. LUKASIK ASKED FOR RESPONSE FROM WASHINGTON ON
QUESTIONS OUTLINED BELOW.

2. LUKASIK SAID POLAND WOULD PROBABLY PROTEST NORWEGIAN
DECREE SINCE IT WAS POLAND'S VIEW THAT NORWAY HAD NO RIGHT
TO UNILATERALLY DECLARE FISHERIES ZONE AROUND SVALBARD BUT
COULD ONLY DO SO IN CONJUNCTION WITH OTHER SPITZBERGEN
TREATY PARTIES. HE SUGGESTED THAT IT BE DONE THROUGH
A CONFERENCE OF THE TREATY PARTIES BUT THEN ADMITTED THAT
THAT WOULD BE BE PRACTICAL. HE SAID THAT THEIR SPECIFIC
CONCERNS WITH THE DECREE WERE THAT IT GAVE ACCESS ONLY TO
THE SURPLUS FISH AFTER NORWAY HAD ALREADY TAKEN ALL OF THE
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FISH THAT IT COULD AND THE NORWAY HAD SPECIFIED THAT IT
HAD ENFORCEMENT RIGHTS. LEITZELL SUGGESTED THAT LUKASIK
CHECK THE POINT ON ACCESS TO THE SURPLUS SINCE IT WAS
LEITZELL'S IMPRESSION THAT THE REGIME WAS TO BE NON-
DISCRIMINATORY AS BETWEEN ALL TREATY PARTIES INCLUDING
NORWAY.

3. LUKASIK SAID THAT POLAND WAS INTERESTED IN UNDERTAKING COAL MINING OPERATIONS ON SVALBARD IN THE NEAR FUTURE, POINTING OUT THAT POLAND WAS ONE OF THE MOST ADVANCED NATIONS REGARDING BOTH MINING AND UTILIZATION OF COAL. HE SAID THAT AN INTERNAL GOVERNMENT STUDY ON THIS QUESTION WAS NEARING COMPLETION. FINALLY, HE SAID THAT POLAND DID NOT WANT NORWAY TO THINK THAT IT COULD APPLY THE FUTURE LAW OF THE SEA TREATY TO THE AREA AROUND SVALBARD. HE SAID THAT HE FELT THE APPLICATION OF ALL PARTS OF THE LOS TREATY WOULD SOLIDIFY NORWEGIAN RESOURCE RIGHTS TO THE DETRIMENT OF THE OTHER TREATY PARTIES. WHEN LEITZELL POINTED OUT THAT SPITZBERGEN TREATY GAVE NORWAY SOVEREIGNTY OVER SPITZBERGEN SUBJECT ONLY TO SPECIFIED RIGHTS OF OTHER PARTIES AND THUS THAT NORWAY COULD CERTAINLY APPLY THE NON-RESOURCE PARTS OF THE LOS TREATY WITHOUT RESTRICTION, LUKASIK SAID THAT POLAND DID NOT ACCEPT THAT.

4. FINALLY, LUKASIK SAID THAT POLAND AND THE USSR HAD VERY DIFFERENT INTERESTS IN THE AREA. HE SAID THAT SECURITY AND STABILITY WERE PARAMOUNT SOVIET CONCERNS WHILE POLAND WAS MAINLY INTERESTED IN ACCESS TO RESOURCES. HE SAID THAT HE DOUBTED THE USSR WOULD OBJECT TO NORWEGIAN ACTIONS. HE REPEATED SEVERAL TIMES THAT THE USSR AND NORWAY WORK VERY CLOSELY ON QUESTIONS RELATED TO SVALBARD AND THAT USSR WAS NOT CONCERNED WITH POLAND'S PROBLEMS IN THE AREA.

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5. LEITZELL REQUESTS GUIDANCE ON RESPONSE TO LUKASIK.

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